

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROOSEVELT M. WILLIAMS,

Plaintiff,

v.

JUDY SMITH, et al.

Defendants.

ORDER

Case No. 14-cv-789-jdp

Plaintiff Roosevelt Williams has filed a letter regarding the collection of the filing fee in this case. (Dkt. #14). In his letter, plaintiff says that the business office at his institution is withholding 100% of his income to pay his federal filing fee. He also says that he owes money for other obligations and would like the withholding for his filing fee reduced to 5% or 10% of the previous month's deposits. I will construe plaintiff's letter as a motion to reduce his monthly payments of the unpaid balance of his filing fees.

A review of this court's financial records show that the court has not received any payments from plaintiff other than his \$33.40 initial partial payment on January 6, 2015. In addition, the March 2015 trust fund account statement that plaintiff submitted with his letter shows that plaintiff did not have any deposits for the month of March. The statement also shows that no money was withheld for this court case. Since no money has been withheld for the filing fee in this case, this court cannot address his concern. If plaintiff needs clarification regarding his trust fund account statement, he should direct his inquiry to his institution's business office.

Turning to plaintiff's request that the withholding of his filing fee be reduced to 5% or 10%, this court is bound by the provisions of the Prison Litigation Reform Act. Under that

Act, an inmate who files a lawsuit in federal court under the *in forma pauperis* statute must pay the statutory filing fee, first by making an initial partial payment and then by sending the remainder of the fee to the court in installments of 20% of the preceding month's income in accordance with 28 U.S.C. § 1915(b)(2) until the remaining balance for his case is paid in full. The court has no discretion to modify this method or to exempt any part of plaintiff's income from withholding. Accordingly, his motion will be denied.

ORDER

IT IS ORDERED that plaintiff's motion to reduce the monthly payment of his filing fee in this case, dkt. #14, is DENIED.

Entered this 1st day of May, 2015

BY THE COURT:

PETER OPPENEER
Magistrate Judge